

SENATE FILE 2052  
BY MCKINLEY

**A BILL FOR**

1 An Act providing for exemptions related to the solemnization  
2 or validity of a marriage based on sincerely held religious  
3 beliefs.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1      Section 1. NEW SECTION.    595.21 Exemptions related to  
2 solemnization or recognition of the validity of a marriage.

3        1. An individual, religious or denominational organization,  
4 or a charitable or educational organization operated,  
5 supervised, or controlled by or connected with a religious or  
6 denominational organization, shall not be liable, penalized, or  
7 denied benefits under the laws of this state or any political  
8 subdivision of this state, including but not limited to  
9 laws regarding employment discrimination, housing, public  
10 accommodations, licensing, government contracts or grants, or  
11 tax-exempt status, for refusing to solemnize any marriage,  
12 for refusing to provide services, accommodations, advantages,  
13 facilities, goods, or privileges related to the solemnization  
14 of any marriage, or for refusing to treat as valid any  
15 marriage, if such providing, solemnizing, or treating as valid  
16 would cause such individual or organization to violate the  
17 sincerely held religious beliefs of the individual or to which  
18 the organization subscribes.

19       2. The exemptions provided pursuant to subsection 1 shall  
20 not apply if either of the following conditions exists:

21     a. A government employee shall not refuse to assist in the  
22 solemnization of any marriage under this section if another  
23 government employee is not available and willing to so assist.

b. A refusal to provide services, accommodations, advantages, facilities, goods, or privileges related to the solemnization of any marriage shall not be protected under this section if a party to the marriage is unable to obtain any similar services, accommodations, advantages, facilities, goods, or privileges elsewhere, and such inability to obtain such similar services, accommodations, advantages, facilities, goods, or privileges elsewhere constitutes a substantial hardship.

EXPLANATION

34 This bill provides exemptions to certain individuals and  
35 organizations related to solemnization and recognition of the

1 validity of marriages.

2     The bill provides that an individual, religious or  
3 denominational organization, or a charitable or educational  
4 organization operated, supervised, or controlled by or  
5 connected with a religious or denominational organization,  
6 shall not be liable, penalized, or denied benefits under  
7 the laws of this state or any political subdivision of this  
8 state, including but not limited to laws regarding employment  
9 discrimination, housing, public accommodations, licensing,  
10 government contracts or grants, or tax-exempt status, for  
11 refusing to solemnize any marriage, for refusing to provide  
12 services, accommodations, advantages, facilities, goods, or  
13 privileges related to the solemnization of any marriage, or for  
14 refusing to treat as valid any marriage, if such providing,  
15 solemnizing, or treating as valid would cause such individual  
16 or organization to violate the sincerely held religious beliefs  
17 of the individual or to which the organization subscribes.  
18 However, the exemptions do not apply; or in the case in which  
19 a government employee refuses to assist in the solemnization  
20 of a marriage, if another government employee is not available  
21 and willing to so assist if the refusal to provide services,  
22 accommodations, advantages, facilities, goods, or privileges  
23 related to the solemnization of any marriage results in a party  
24 to the marriage being unable to obtain any similar services,  
25 accommodations, advantages, facilities, goods, or privileges  
26 elsewhere, and this constitutes a substantial hardship.